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June 27, 2022

Via ECF Only

Honorable Paul G. Gardephe, Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2204
New York, New York 10007

Re: *Dinean Davis, Individually and on Behalf of her Infant Child, J.D. v. Winston Preparatory School, et al.*

Venue: United States Southern District of New York
Docket No.: 1:21-CV-08209-PGG
Our File No.: 22643.8

Dear Judge Gardephe,

Our firm represents Defendants in the above-referenced matter and we write in accordance with Your Honor's Individual Rules of Practice to respectfully request an adjournment of the status conference currently scheduled for Thursday, June 30, 2022 at 11:30 AM, due to Plaintiff's counsel's health issues that have prevented the Parties from creating a new schedule for Defendants' Motion to Dismiss.

As Your Honor may recall, Plaintiff's Response in Opposition to Defendants' Motion to Dismiss the Amended Complaint (the "Response") was originally due on April 26, 2022. (ECF No. 43). Plaintiff's counsel subsequently submitted an April 26, 2022 letter to the Court seeking an extension to serve Plaintiff's Response. (ECF No. 44). The Court granted a one-day extension for Plaintiff's Response to April 27, 2022 and extended Defendants' Reply deadline to May 11, 2022. (ECF No. 45). On May 4, 2022, the Parties notified the Court of Mr. Lewis's hospitalization and jointly requested that all deadlines be stayed until after Plaintiff's counsel was discharged from the hospital and the Parties could confer and submit an updated motion schedule. (ECF No. 46). The Court graciously granted this request on May 6, 2022. (ECF No. 47). On May 24, 2022, the Parties notified the Court of Mr. Lewis's health complications due to his hospitalization that prevented the Parties from conferring on a new motion schedule, and requested an adjournment from the May 26, 2022 court conference. (ECF No. 48). The Court graciously granted this request on May 25, 2022. (ECF No. 49).



The Parties are happy to announce that Plaintiff's counsel is expected to be able to return to work next week, and further expect to be able to meet and confer on a new motion schedule soon thereafter. Accordingly, the Parties jointly request an adjournment from the June 30, 2022 status conference. The Parties thank this Honorable Court for its continued courtesy and consideration in this particularly challenging time for Plaintiff's counsel.

Respectfully submitted,

WILSON ELSE MOSKOWITZ EDELMAN & DICKER LLP

A handwritten signature in cursive script, appearing to read 'Corrine Shea'.

Corrine Shea, Esq.
Nancy V. Wright, Esq.

cc: Nicholas Lewis, Esq. (via ECF and email only)
Nesenoff & Miltenberg, LLP
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MEMO ENDORSED:

The conference scheduled for June 30, 2022 is adjourned sine die.

By July 8, 2022, the parties will propose an updated briefing schedule for Defendants' motion to dismiss.

SO ORDERED.

A handwritten signature in cursive script, appearing to read 'Paul G. Gardephe'.

Paul G. Gardephe
United States District Judge
Dated: July 29, 2022